

Remarks

In response to the Office Action dated November 09, 2007, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance. Claims 1-3, 5-23, 26-28 and 32-33 are pending. Claims 23, 26-28 and 32-33 are allowed. Claims 1-22, 24-25, 29-31 have been cancelled without prejudice or disclaimer.

103 Rejections

Claims 1, 6, 10, 11 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Willis, Jr. et al. (US Pat. No. 6,738,815), in view of Zhang (US Pat. 6,396,833) and further in view of Fortier (US Pat. App. 2003/0023601).

Claims 2, 3, 7 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Willis, Fortier, Zhang and further in view of Stone et al. (US Pat. No. 6,101,510).

Claims 15-17 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Willis, Fortier, Zhang and in view of Kelley et al. (US Pat. No. 6,724,406).

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Willis, Fortier, Zhang and further in view of Butts et al. (US Pat. No. 6,233,541).

Claims 8, 9, and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Willis, Fortier, Zhang and further in view of Devine (US Pat. No. 6,598,167).

Claims 18 and 20-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Willis, Fortier, Zhang, Kelley and further in view of Devine et al.

Claims 1, 6, 10, 11 and 13

The Office Action rejects independent claims 1 and 11 by asserting that the combination of Willis, Zhang and Fortier describes all of the claimed elements.

As a preliminary issue, Applicants note that the filing date of Fortier (May 8, 2002) postdates the filing date of the instant application (June 28, 2001). As such, the cited Fortier reference per se may not be prior art. Fortier apparently claims priority to

provisional application 60/289,440 filed on May 8, 2001 (the “Fortier Provisional”). The Fortier Provisional antedates the instant application by 51 days. As such, Fortier is only prior art to the extent that the Fortier Provisional supports the subject matter in Fortier.

However, claims 1, 6, 10-11 and 13 have been cancelled rendering the rejection moot. As such, the rejections may be withdrawn.

Claims 2, 3, 7 and 14

Claims 2, 3, 7 and 14 are currently rejected as being unpatentable under the combination of Willis, Fortier, Zhang and Stone. However, claims 2, 3, 7 and 14 have been cancelled rendering the rejections moot. As such, the rejections may be withdrawn.

Claims 15-17 and 19

Independent claim 15 is rejected as being unpatentable under the combination of Willis, Fortier, Zhang and Kelley. However, claims 15-17 and 19 have been cancelled rendering the rejections moot. As such, the rejections may be withdrawn.

Claim 5

Claim 5 is currently rejected as being unpatentable under the combination of Willis, Fortier, Zhang and Butts. However, claim 5 has been cancelled rendering the rejections moot. As such, the rejections may be withdrawn.

Claims 8, 9 and 12

Claims 8-9 and 12 are currently rejected as being unpatentable under the combination of Willis, Trace and Devine. However, claims 8-9 and 12 have been cancelled rendering the rejections moot. As such, the rejections may be withdrawn.

Claims 18 and 20-22

Claims 18 and 20-22 are currently rejected as being unpatentable under the combination of Willis, Fortier, Zhang, Kelley and Devine. However, claims 18-9 and 12 have been cancelled rendering the rejections moot. As such, the rejections may be withdrawn.

Conclusion

Applicants respectfully assert that the application including claims 23, 26-28 and 32-33 is now in condition for allowance. Applicant requests reconsideration in view of the amendments and remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees are believed due other than the fees for an RCE. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

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